IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Jae Keol Rhee, *et al.*
App. No	:	10/596,412
Filed	:	June 13, 2006
For	:	NOVEL OXAZOLIDINONE DERIVATIVES
Examiner	:	Patricia L. Morris
Art Unit	:	1625
Conf No.	:	6355

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September 14, 2009
(Date)

Carolyn A. Favorito, Reg.No. 39,183

PETITION UNDER 37 C.F.R. § 1.181

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request the Director to review the restriction requirement made in the Final Office Action dated August 13, 2009.

1. Applicable Rules for Petitions

This Petition is filed in accordance with 37 C.F.R. §§ 1.144 and 1.181(c), which require the Applicants to request reconsideration of the restriction requirement, and which require a final requirement for restriction or repeated action by the Examiner. In accordance with 37 C.F.R. § 1.144, this Petition is filed not later than appeal.

A Statement of the Facts, Points to be Reviewed, and Requested Action follow, as required by 37 C.F.R. § 1.181(b). This Petition is timely filed in accordance with 37 C.F.R. § 1.181(d), which requires Applicants to file the Petition within two months of the mailing date of the action or notice from which relief is requested, in this case, within two months of the Advisory Action dated September 4, 2009.

2. **Statement of Facts**

All of the currently pending claims, Claims 51-99, were introduced for the first time in the Amendment filed May 11, 2009. A listing of the current claims is attached to this Petition as Exhibit A.

In the following action, the Final Office Action dated August 13, 2009, new Claims 53-99 were held withdrawn and method Claims 51-52 were examined.[1] Specifically, the Examiner stated:

> Claims 53-99 are held withdrawn from consideration as being drawn to nonelected subject matter 37 CFR 1.142 (b). . . . Newly submitted claims 54-99 [sic] are directed to an invention that is independent or distinct, from the invention originally claimed for the following reasons: Newly added claims 54-99 [sic] are **not readable on the originally elected process**. Claim 53 is evidence that the compounds can be made by materially different processes and does not correspond to the original claims. The elections [sic] was made **without traverse**[.] (Original emphasis.)

Final Office Action, page 2.

On August 27, 2009, Applicants filed a Response to the Final Office Action requesting reconsideration of the restriction requirement of Claims 53-73, which satisfies 37 C.F.R. §§ 1.144 and 1.181(c). In addition, the Applicants distinctly and specifically pointed out the errors in the restriction requirement in accordance with MPEP § 818.03(c), as follows:

> Applicants request reconsideration of the restriction requirement, based on unity of invention, of method Claims 53-73. The final product recited in Claim 52 substantially overlaps the final product recited in Claim 53 and the process step recited in both claims includes reacting the compound of Formula (V) to form the compound of Formula (I). The Office has not established how the processes materially differ. Thus, Applicants respectfully submit that unity exists as to these claims.

August 27, 2009 Response to the Final Office Action, page 15.

[1] New Claims 53-99 were "held withdrawn" despite the cancellation of original Claims 1-50 in the May 11, 2009 Amendment, to which the original requirement for restriction of March 6, 2008 applied.

In the Advisory Action dated September 4, 2009, the Examiner stated that "[t]he election has been made WITHOUT TRAVERSE. Applicants continue to fail to understand that they elected a PROCESS. REJOINDER IS NOT APPLICABLE HEREIN." (Original emphasis.) Advisory Action, page 2 (continuation sheet). Applicants respectfully submit that this statement satisfies 37 C.F.R. §§ 1.144 and 1.181(c), which require a final requirement for restriction or repeated action by the Examiner.

3. Points to be Reviewed

First, the Applicants respectfully dispute the Examiner's statement made in the Advisory Action that an election was made without traverse. In particular, this statement does not apply to method Claims 53-73, for which the Examiner required restriction for the first time in the Final Office Action dated August 13, 2009. As stated above, the Applicants traversed this restriction requirement by stating that "Applicants request reconsideration of the restriction requirement, based on unity of invention, of method Claims 53-73." Response to the Final Office Action filed August 27, 2009, page 15. As mentioned above, the Applicants distinctly and specifically pointed out that the "final product recited in Claim 52 substantially overlaps the final product recited in Claim 53 and the process step recited in both claims includes reacting the compound of Formula (V) to form the compound of Formula (I)." *Id.* Therefore, MPEP § 818.03(c) does not apply, which states that "[i]f applicant does not distinctly and specifically point out supposed errors in the restriction requirement, the election should be treated as an election without traverse and be so indicated to the applicant . . . ." Applicants respectfully assert that Claims 53-73 were not elected "without traverse."

Second, the Applicants respectfully assert that all of the pending claims have unity.[2] The present application is a national phase application of PCT/KR2004/003327 having an international filing date of December 17, 2004; therefore, unity of invention and not restriction practice is applicable in accordance with 37 C.F.R. § 1.141, MPEP §§ 1850(III)(A) and 1893.03(d). Also, according to MPEP § 1850(III)(A):

> The method for determining unity of invention under PCT Rule 13 shall be construed as permitting, in particular ... an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the

[2] The International Searching Authority found no lack of unity of invention according to the Written Opinion dated March 24, 2005.

> said product, and an independent claim for a use of the said product . . . . A process is specially adapted for the manufacture of a product if it inherently results in the product . . . .

Applicants respectfully assert that the claimed processes "inherently result" in the compounds recited in Claims 74-95. In particular, the Applicants established without challenge during prosecution that the compounds made by the claimed methods are novel and non-obvious. In the Amendment filed May 11, 2009 (pages 17-18), the Applicants pointed out that "proper claim construction requires treating language in a process claim which recites the making or using a non-obvious product as a material limitation" in accordance with MPEP § 2116.01. However, the Examiner did not respond to this assertion in the Final Office Action dated August 13, 2009 but rather stated that "Applicants fail to argue the rejection" (page 4).

4. Concurrent Filing

On the same day as the filing of this Petition, the Applicants have filed a Notice of Appeal and a Pre-Appeal Brief Request for Review requesting reconsideration of the obviousness and indefiniteness rejections set forth in the Final Office Action.[3]

5. Requested Action

Applicants respectfully request the Director to withdraw the restriction requirement made in the Final Office Action dated August 13, 2009 with respect to claims 53-73.

Further, in the interest of maximizing efficiency and promoting compact prosecution, Applicants respectfully request the Director to communicate with the Pre-Appeal Brief Review Panel such that all of the claims will be considered for allowance.

Upon allowance of the method claims, the Applicants respectfully request the Director to direct the Examiner to indicate that all of the currently pending claims have unity, and thus should be considered in the present application. In addition, or alternatively, the Applicants respectfully request the Director to direct the Examiner to rejoin any withdrawn claims.

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[3] Among other clear errors, the Examiner did not establish *prima facia* obviousness because the Applicants established without challenge that the compounds made by the claimed methods are novel and non-obvious, and thus, the claimed methods for making them are novel and nonobvious.

The Director is respectfully invited to telephone the undersigned if needed to advance prosecution of this application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 14, 2009

By: _____
Carolyn D. Favorito
Registration No. 39,183
Attorney of Record
Customer No. 20995
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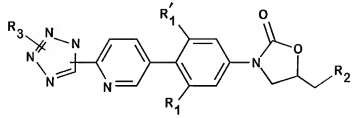
091009

Exhibit A

Current Claims

Claims 1-50 (Canceled)

51. (Previously Presented) A method for preparing an oxazolidinone derivative of Formula (I):



Formula (I)

or a pharmaceutically acceptable salt thereof

wherein,

R_1 and R'_1 are independently hydrogen or fluorine;

R_2 is $-NR_5R_6$, $-OR_7$, fluorine, alkylphosphate, monophosphate or a metal salt of monophosphate;

R_5 and R_6 are independently hydrogen or C_{1-4} alkyl;

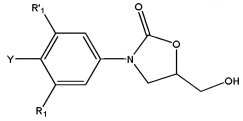
R_7 is hydrogen, C_{1-3} alkyl or acylated amino acid, wherein the amino acid is alanine, glycine, proline, isoleucine, leucine, phenylalanine, ß-alanine or valine;

R_3 is hydrogen, C_{1-4} alkyl group that is unsubstituted, or substituted with cyano, $-(CH_2)m-OR_7$ or ketone; and

m is 0, 1, 2, 3, or 4;

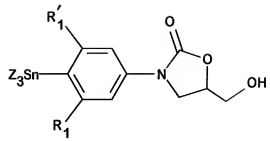
the method comprises the steps of:

reacting a compound of Formula (III) wherein Y is halogen:



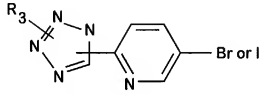
Formula (III)

with a tin compound to provide a compound of Formula (IV) wherein Z is C_{1-4} alkyl:



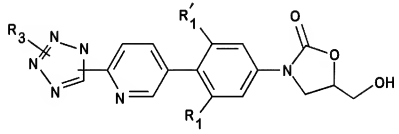
Formula (IV);

reacting the compound of Formula (IV) with a compound of Formula (VI):



Formula (VI)

under conditions selected to give a compound of Formula (V):

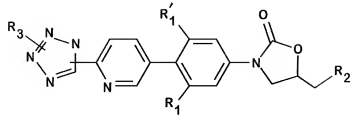


Formula (V); and

optionally reacting the compound of Formula (V) under conditions selected to give the compound of Formula (I).

52. (Previously Presented) The method of Claim 51, comprising reacting the compound of Formula (V) under conditions selected to give the compound of Formula (I), wherein the reacting step further comprises the compound of Formula (V) under conditions to convert the R_2 hydroxyl group of Formula (V) to R_2 selected from the group consisting of $-NR_5R_6$, $-OR_7$, fluorine, alkylphosphate, monophosphate and a metal salt of the monophosphate of the compound of Formula (I).

53. (Withdrawn) A method for preparing an oxazolidinone derivative of Formula (I):



Formula (I)

or a pharmaceutically acceptable salt thereof

wherein,

R_1 and R'_1 are independently hydrogen or fluorine;

R_2 is $-NR_5R_6$, $-OR_7$, fluorine, alkylphosphate, monophosphate or a metal salt of monophosphate;

R_5 and R_6 are independently hydrogen or C_{1-4} alkyl;

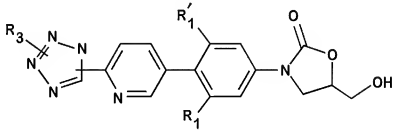
R_7 is C_{1-3} alkyl or acylated amino acid, wherein the amino acid is alanine, glycine, proline, isoleucine, leucine, phenylalanine, ß-alanine or valine;

R_3 is hydrogen, C_{1-4} alkyl group that is unsubstituted, or substituted with cyano, $-(CH_2)m-OR_7$ or ketone; and

m is 0, 1, 2, 3, or 4;

wherein the method comprises:

reacting the R_2 hydroxy group of Formula (V)



Formula (V)

under conditions selected to give R_2 selected from the group consisting of $-NR_5R_6$, $-OR_7$, fluorine, alkylphosphate, monophosphate and a metal salt of monophosphate.

54. (Withdrawn) The method of Claim 53,

wherein the alkylphosphate is ditetrabutylester.

55. (Withdrawn) The method of Claim 53, further comprising

reacting the compound of Formula (I), wherein R_7 is the acylated amino acid, with an acid under conditions selected to form a pharmaceutically acceptable salt.

56. (Withdrawn) The method of Claim 56, wherein the acid is hydrochloric acid or trifluoroacetic acid.

57. (Withdrawn) The method of Claim 53, wherein the reacting step comprises reacting the compound of Formula (V) with phosphorous oxy chloride to give the compound of Formula (I) wherein R_2 is monophosphate.

58. (Withdrawn) The method of Claim 53, wherein the reacting step comprises reacting the compound of Formula (I) wherein R_2 is monophosphate with a metallic salt to give the compound of Formula (I) wherein R_2 is a metal salt of the monophosphate or a disodium salt of the monophosphate.

59. (Withdrawn) The method of Claim 53, wherein R_1 is hydrogen and R_1' is fluorine.

60. (Withdrawn) The method of Claim 53, wherein R_2 is $-OR_7$ and R_7 is the acylated amino acid.

61. (Withdrawn) The method of Claim 53, wherein R_2 is selected from the group consisting of alkylphosphate, monophosphate and a metal salt of the monophosphate.

62. (Withdrawn) The method of Claim 53, wherein R_3 is methyl.

63. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) is selected from the group consisting of

Compound 12) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one trifluoroacetic acid;

Compound 18) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-fluoromethyl oxazolidin-2-one;

Compound 20) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 33) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-methoxymethyl oxazolidin-2-one;

Compound 38) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3,5-difluorophenyl)-5-hydroxymethyl oxazolidin-2-one;

Compound 40) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(N,N-dimethylaminomethyl)oxazolidin-2-one;

Compound 41) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(N-methylaminomethyl)oxazolidin-2-one;

Compound 42) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 43) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 44) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 45) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one hydrochloride;

Compound 46) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-prolinyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 47) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-prolinyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 49) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 50) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 59) (R)-[3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl disodiumphosphate;

Compound 61) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-hydroxymethyl oxazolidin-2-one;

Compound 62) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one trifluoroacetic acid;

Compound 63) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one hydrochloride;

Compound 64) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 65) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 66) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 67) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 68) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

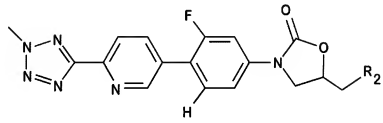
Compound 69) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 70) (R)-[3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl disodiumphosphate;

Compound 72) mono-[(R)-[3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl] phosphate; and

Compound 73) mono-[(R)-[3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl] phosphate.

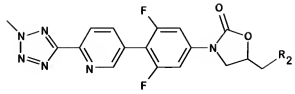
64. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) has the structure



wherein R_2 is an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

65. (Withdrawn) The method of Claim 64, wherein the compound has *R* stereochemistry.

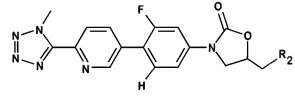
66. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) has the structure



wherein R_2 is an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

67. (Withdrawn) The method of Claim 66, wherein the compound has *R* stereochemistry.

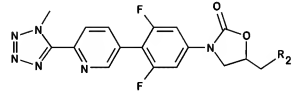
68. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) has the structure



wherein R_2 is an alkylphosphate, a monophosphate or a metal salt of the monophosphate.

69. (Withdrawn) The method of Claim 68, wherein the compound has *R* stereochemistry.

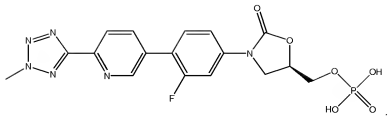
70. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) has the structure



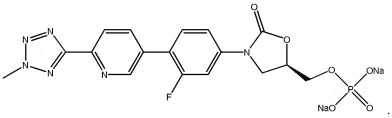
wherein R_2 is an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

71. (Withdrawn) The method of Claim 70, wherein the compound has *R* stereochemistry.

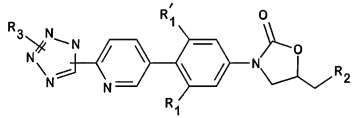
72. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) is



73. (Withdrawn) The method of Claim 53, wherein the compound of Formula (I) is



74. (Withdrawn) An oxazolidinone derivative of Formula (I), or a pharmaceutically acceptable salt thereof:



Formula (I)

wherein,

R_1 and R'_1 are independently hydrogen or fluorine;

R_2 is $-NR_5R_6$, $-OR_7$, fluorine, alkylphosphate, monophosphate or a metal salt of phosphate;

R_5 and R_6 are independently hydrogen or C_{1-4} alkyl;

R_7 is hydrogen, C_{1-3} alkyl or acylated amino acid, wherein the amino acid is alanine, glycine, proline, isoleucine, leucine, phenylalanine, ß-alanine or valine;

R_3 is hydrogen, C_{1-4} alkyl group that is unsubstituted, or substituted with cyano, $-(CH_2)m-OR_7$ or ketone; and

m is 0, 1, 2, 3, or 4.

75. (Withdrawn) The compound of Claim 74, wherein R_1 is hydrogen and R_1' is fluorine.

76. (Withdrawn) The compound of Claim 74, wherein R_2 is -OH.

77. (Withdrawn) The compound of Claim 74, wherein R_2 is $-OR_7$ and R_7 is the acylated amino acid.

78. (Withdrawn) The compound of Claim 74, wherein R_2 is selected from the group consisting of alkylphosphate, monophosphate and a metal salt of the monophosphate.

79. (Withdrawn) The compound of Claim 74, wherein R_3 is methyl.

80. (Withdrawn) The compound of Claim 74, wherein the pharmaceutically acceptable salt is formed with an acid selected from the group consisting of hydrochloric acid, bromic acid, sulfuric acid, phosphoric acid, citric acid, acetic acid, lactic acid, maleic acid, fumaric acid, gluconic acid, methane sulfonic acid, glyeonic acid, succinic acid, 4-toluenesulfonic acid, trifluoroacetic acid, galuturonic acid, embonic acid, glutamic acid and aspartic acid.

81. (Withdrawn) The compound of Claim 80, wherein the acid is hydrochloric acid or trifluoroacetic acid.

82. (Withdrawn) The compound of Claim 74, which is selected from the group consisting of

Compound 10) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-hydroxymethyl oxazolidin-2-one;

Compound 12) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one trifluoroacetic acid;

Compound 18) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-fluoromethyl oxazolidin-2-one;

Compound 20) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 33) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-methoxymethyl oxazolidin-2-one;

Compound 38) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3,5-difluorophenyl)-5-hydroxymethyl oxazolidin-2-one;

Compound 40) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(N,N-dimethylaminomethyl)oxazolidin-2-one;

Compound 41) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(N-methylaminomethyl)oxazolidin-2-one;

Compound 42) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 43) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 44) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 45) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one hydrochloride;

Compound 46) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-prolinyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 47) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-prolinyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 49) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 50) (R)-3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 59) (R)-[3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl disodiumphosphate;

Compound 61) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-hydroxymethyl oxazolidin-2-one;

Compound 62) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one trifluoroacetic acid;

Compound 63) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-glycyloxymethyl oxazolidin-2-one hydrochloride;

Compound 64) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 65) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 66) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

Compound 67) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(L-valyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 68) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one trifluoroacetic acid;

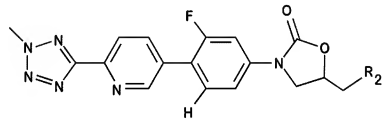
Compound 69) (R)-3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-5-(β-alanyloxy)methyl oxazolidin-2-one hydrochloride;

Compound 70) (R)-[3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl disodiumphosphate;

Compound 72) mono-[(R)-[3-(4-(2-(2-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl] phosphate; and

Compound 73) mono-[(R)-[3-(4-(2-(1-methyltetrazol-5-yl)pyridin-5-yl)-3-fluorophenyl)-2-oxo-5-oxazolidinyl]methyl] phosphate.

83. (Withdrawn) The compound of Claim 74, having the structure

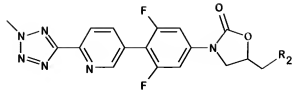


wherein R_2 is hydroxyl, an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

84. (Withdrawn) The compound of Claim 83, wherein R_2 is hydroxyl, the monophosphate, or a disodium salt of the monophosphate.

85. (Withdrawn) The compound of Claim 83, which has *R* stereochemistry.

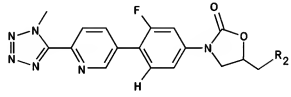
86. (Withdrawn) The compound of Claim 74, having the structure



wherein R_2 is hydroxyl, an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

87. (Withdrawn) The compound of Claim 86, which has *R* stereochemistry.

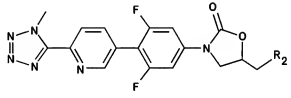
88. (Withdrawn) The compound of Claim 74, having the structure



wherein R_2 is hydroxyl, an alkylphosphate, a monophosphate or a metal salt of the monophosphate.

89. (Withdrawn) The compound of Claim 88, which has *R* stereochemistry.

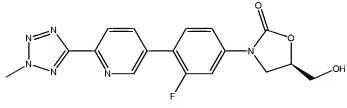
90. (Withdrawn) The compound of Claim 74, having the structure



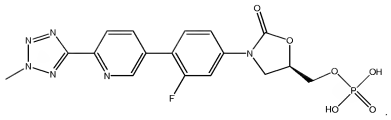
wherein R_2 is hydroxyl, an alkylphosphate, a monophosphate, or a metal salt of the monophosphate.

91. (Withdrawn) The compound of Claim 90, which has *R* stereochemistry.

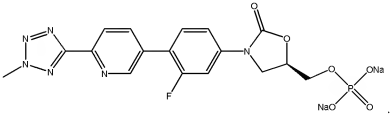
92. (Withdrawn) A compound having the formula



93. (Withdrawn) A compound having the formula



94. (Withdrawn) A compound having the formula



95. (Withdrawn) A pharmaceutical composition comprising the compound of Claim 74.

96. (Withdrawn) A method of treating a bacterial infection in a subject, comprising administering to the subject the compound of Claim 74.

97. (Withdrawn) The method of Claim 95, wherein the bacterial infection results from a Gram-positive bacterium.

98. (Withdrawn) The method of Claim 96, wherein the Gram-positive bacterium is selected from the group consisting of *Staphylococcus*, *Enterococcus*, *Streptococcus*, *Bacteroides*, *Clostridium*, and *Mycobacterium*.

99. (Withdrawn) The method of Claim 97, wherein the bacterium is selected from the group consisting of *Staphylococcus*, *Enterococcus*, and *Streptococcus*.